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DEPARTMENT OF NATURAL RESOURCES

Division of Oil, Gas & Mining

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Inspection Report

Minerals Regulatory Program

Date: May 28, 2009

Reviewed: PPB

Mine Name: Brown's Canyon Rock Quarry	Permit Number: M/043/0021
Operator Name: BMW Stone Inc.	Inspection Date: 05/20/2009
Inspector(s): Brett Gregory for Leslie Heppler <u>BGH</u>	Time: 1:00 pm
Other Participants: None	Mine Status: Active

Elements of Inspection	Evaluated	Comment	Enforcement
1. Permits, Revisions, Transfer, Bonds	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
2. Public Safety (shafts, adits, trash, signs, highwalls)	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
3. Protection of Drainages / Erosion Control	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
4. Deleterious Material	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
5. Roads (maintenance, surfacing, dust control, safety)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
6. Concurrent Reclamation	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
7. Backfilling/Grading (trenches, pits, roads, highwalls, shafts, drill holes)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
8. Water Impoundments	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
9. Soils	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
10. Revegetation	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
11. Air Quality	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
12. Other	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Bond Renewal Date: 12-09-2009 **Bond Amount:** \$85,900 **Permit fee:** Current.

Purpose of Inspection: Routine annual inspection. GPS data collected.

Inspection Summary:

- 2) A few minor pieces of garbage along the perimeter need to be picked up. There are also considerable amounts of garbage in the parking lot area that should to be removed. Old machinery or equipment, as seen in the photographs, will affect the bond amount and are to be removed.
- 3) The entire perimeter around the overburden was saturated with water and may pose a drainage problem. There is also a pit shown in the photographs to be backfilled and checked for contamination.

(Photos attached)

Conclusions and Recommendations: DOGM recommends to remove garbage and stockpile more topsoil for future reclamation. Bond will be escalated in December 2009, Operator should consider concurrent reclamation to decrease percent of bond increase. DOGM will continue to annually inspect this site.

Inspector's Signature Brett Gregory 09-09-09

BG:vs

cc: Mark Willis

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Pit to be backfilled.



Garbage to be removed.



Structures & garbage that will affect the bond amount



Garbage.



Garbage.



Garbage.



Pallettes and debris in the lower crushing facility to be removed.



Lower pit with crushed rock and minor stockpiles of soil around the perimeter.